

**MINUTES  
CITY OF FARMINGTON HILLS  
PLANNING COMMISSION REGULAR MEETING  
FARMINGTON HILLS CITY HALL – COMMUNITY ROOM  
August 11, 2016, 7:30 P.M.**

Chair Rae-O'Donnell called the Planning Commission meeting to order at 7:30 p.m. on August 11, 2016.

Commissioners Present: Blizman, Brickner, Fleischhacker, Mantey, McRae, Orr, Rae-O'Donnell, Stimson

Commissioners Absent: Schwartz

Others Present: Staff Planner Stec, City Attorney Schultz, Planning Consultants Arroyo and Tangari

Chair Rae-O'Donnell welcomed Commissioner Brickner to the Commission.

**APPROVAL OF AGENDA**

**MOTION by Orr, support by Fleischhacker, to approve the agenda as published.**

**Motion carried 9-0.**

**REGULAR MEETING**

**A. Discussion of Sign Regulations**

City Planner Stec opened the discussion on this item. He noted that the Planning Commission had already had 2 study sessions regarding the proposed new sign regulations, and City Council had also discussed the proposed regulations in two study sessions. The documents before the Commission this evening incorporated Council's comments as well as revisions requested by the Planning Commission. After tonight's discussion, if the Commission felt it appropriate, *Zoning Text Amendment 1, 2016 SIGNS* could be set for public hearing on September 15, 2016.

There would be additional revisions to the City Code that would be presented to the Commission at a later date. The revisions to City Code along with the Zoning Text Amendment would be scheduled for the same City Council public hearing.

Planning Consultant Arroyo highlighted the changes in the proposed ordinance, utilizing documents distributed to the Planning Commission:

- Farmington Hills – Draft Amended Sign Standards: August 11, 2016
- Sign Definitions Amended: August 6, 2016
- Farmington Hills Sign Regulations – Outside of Sign Definitions and Section 5.5

Round-table discussion included a review of changes, and also included requested changes by the Planning Commission, as summarized below:

- Section 34-5.5.1. **Purpose and Intent.** Minor wording changes were included.
- Section 34-5.2.B. **Signs requiring a permit.** ii.d. should read: Any banner sign in a non-residential district. The City did not want to require residents to get a permanent for banner signs on their homes.
  - Question/change: Should non-residential uses in residential areas, such as churches and day care centers, also be allowed to have banners without a permit?

- Question: Would banners be allowed in multi-family districts, such as apartment and condo complexes? Answer: As currently written, temporary wall signs/banners would not be permitted in multiple family uses.
- Section 34-5.2.B. **Signs requiring a permit.** iv.b. *Permits for temporary signs 12 square feet or greater in area shall be valid for sixty three (63) days.*
  - 63 days allowed for political signs to be up 60 days before an election with 3 days following the election for removal. Change: This should be 64 days, to allow for the day of the election itself.
  - Brief discussion was held regarding permits for political signs. Since the ordinance had to be content neutral, political signs over 12 square feet would need a permit, as would all signs of this size.
  - Real estate signs were considered temporary signs. Any signs currently installed, for instance on Orchard Lake Road, would be grandfathered.
- Section 34-5.2.E. **Measurement of sign area.** i. and ii. Graphics for permanent sign area calculation guidelines had been modified. Graphics for temporary sign area calculation were also shown.
  - Permanent and temporary sign area calculations were different, with temporary sign area calculations including the extreme limits (full extent) of the temporary sign panel.
  - Negative/empty space was not counted in permanent sign area. However, the structure around the sign was limited to a 2 to 1 ratio to the measured sign, and there was also a height limitation.
  - Ascenders and descenders applied to lower case letters only. Change: This needed to be clarified.
  - Question: Could permanent freestanding signs be put on vacant property? Answer: No. Billboards would be regulated separately. A building that had been vacant for 180 days or more should have its sign removed, per ordinance (34-5.5.A.iii), though the sign structure could remain. This would prohibit a property owner from using a sign structure for a non-accessory message on a property with an unoccupied building. Question: How would this affect real estate signs? Could For Sale/Lease signs be put within a monument sign structure? Replace a wall sign?
  - Question: Was a property with a tent on it considered occupied/developed space? For instance, the flower sales at Northwestern just east of Orchard Lake Road? If not, how could such temporary sales have a sign? Answer: The special use signage might fall under the 64-day time limitation for temporary signs.
- Section 34-5.3.A.iv. **Maximum area and height of permitted freestanding signs.** City Council was not comfortable with any permanent freestanding signs in single-family residential districts, especially as these could include home occupation signs. Therefore, no freestanding signs were permitted.
- Section 34-5.3.A.vi. **Minimum height of all letters and numbers on a freestanding sign.** Question: How would LED signs that had constantly changing signs be held to this standard? This would be difficult to enforce. LED signs that changed every 30 seconds might not be grandfathered in.
- Question: How would information regarding the new sign ordinance get out to the business community?
- Section 34-5.3.A.vii.a. **Design Standard Incentives for Freestanding Signs.** *The background color of the panel shall be black or dark gray with a Light Reflectance Value of 38% or less.* Question: Why were other colors not included, such as navy blue? Could the threshold of 38% LRV be met without designating color? Or could there be a lower 38% threshold so that color would not have to be specified? What about backgrounds such as AT&T Blue with white lettering, for instance? Answer: This would be allowed but would not qualify the sign for the 10% size bonus.
- General discussion was held regarding the issue of requiring certain background colors for a bonus size. The purpose was *to encourage high-quality design and foster greater aesthetic unity within the City.* Allowing all background colors, if they met the LRV of 38% or less, to qualify for the bonus might not meet the stated purpose. The requirement for the bonus was primarily to give contrast between the message and the background, making the signs easier to read. LRV was an easy standard to utilize when painting a sign or when using an LED sign.

- Commissioners Blizman and Orr thought the incentive should be 38% LRV without a color requirement. Commissioner Orr suggested 30% LRV with any color.
- Many monument signs had white background with black lettering. These would not qualify for the incentive.
- This bonus incentive would only apply to new signs. No signs would be rendered nonconforming because of this incentive encouragement for new signs.
- Examples of 30% and 38% background colors should be shown at the public hearing.
- Section 34-5.3.A.viii. **Landscaping.** The landscaping requirement might not work in all instances. Perhaps a mechanism for administrative waiver could be included, or just eliminate *a. A landscaped area not less than three feet in width shall be provided on all sides of the base of a freestanding sign.*
  - Perhaps landscaping could be part of the incentive for bonus size.
- Discussion: Because signs could no longer be regulated by content, LED signs could now advertise for non-accessory uses, even if the building were vacant. City Attorney Schultz: If in the future case law permitted some content-based regulations, the sign ordinance could be tweaked to incorporate that. In the meantime, the ordinance should be as close as possible as to what the Supreme Court ruled in Reid vs. the City of Gilbert, Arizona. Question: Should LED signs be required to go dark when a building was vacated? Change: Active LED signs should be permitted for occupied buildings only.
- Change: Language in 34-5.2.iii and 34-5.3.x should be consistent as to the regulating office: Building Department or Zoning Department.
- Discussion: 34.5.3.A.ix.e. **The background of the electronic display shall not be white.** Question: What about Michigan State signs, for instance? Planning Consultant Arroyo: the Light Reflective Value could apply to LED signs, but this would be more complicated to enforce. Planning Consultant Tangari: light colors used as backgrounds on LED signs made the signs very difficult to read.
- Change: Planning Consultant Arroyo confirmed that regarding the incentive for larger signs, the consensus of the Commission was to encourage a 30% LRV with no background color designated.
- Section 34-5.3.A.x.g. Question: What did this refer to: *that appropriate provision has been made to assure continued maintenance of the structure.*
- Section 34-5.3.A.xi. **Freeway sign zone.** Language had been added to define what the City was looking for in terms of approvals for signs in freeway sign zones.
- Change: Add a comment regarding sight lines in the Freeway Zone language.
- Section 34-5.3.A.xi.d. Freestanding signs in freeway sign zones had to *withstand 90 mph* wind forces.
- Section 34-5.3.B.E. **Temporary A-Frame signs.** City Council did not want any A-frame signs in business districts. These would only be permitted in residential districts, with certain time restrictions. 34-5.3.B.E.e should read: *The sign must be stored inside when not displayed. An A-frame sign may remain in place 24 hours per day, but shall not be placed for more than 7 consecutive days and shall not be placed at any entryway more than once per calendar month.*
- Change: The graphic of the A-frame sign should not show a business-oriented A-frame sign.
- Change: The requirement for A-frame signs to have white lettering on a black background should be deleted, now that they were only going to be allowed in residential districts. (34-5.3.B.E.h.)
- Discussion: Subdivisions advertised their association meetings longer than 7 days; many put their signs up for 3 weeks or more. Also, limiting the signs to only once per calendar month did not correspond to the needs of associations, which often had multiple events in the same month, especially in the summer.
- Change: Increase A-frame sign time limit to *14 consecutive days.*
- Discussion: Balloons were not permitted to be affixed to signs, either under the current or proposed ordinance.
- Section 34-5.3.F.iv clarified that window signs had to be static.
- Section 34-5.3.4 **Regulations for all temporary freestanding and temporary wall signs** gave maximum areas and maximum height measurements.

- Discussion and question: Banners in residential districts were limited to 3 square feet. Should this be larger?
- Section 34-5.3.4.B. New language was reviewed regarding signs placed prior to an election date.
- Change: Political banners or temporary signs should not require a permit. Therefore 34-5.3.2.B.ii *Signs requiring a permit* should exclude 34-5-3.4.B *signs placed 60 days prior to an election date.*
- Discussion: Opinion signs, graduation signs, etc., in residential districts would need to conform to the ordinance.
- Discussion: Requiring temporary signs to have a *gap of at least 30 days between display of the same temporary sign on the same zoning lot* required the enforcing officer to read the sign.
- Discussion: Real estate signs would also be restricted to 64 days. Planning Consultant Arroyo: they were attempting to write language that would allow for a slightly larger area or an extended period of time for real estate signs. Change: The consensus was to extend the limit for real estate signs to 90 days, if possible.
- Discussion: Past ordinances that had targeted certain industries, such as real estate sales, no longer applied. Reid vs. City of Gilbert Arizona presented municipalities with a sea change regarding sign ordinances.
- Discussion: Signs in residential windows were not considered wall signs.
- Discussion: Putting a time limit on signs in a residential area might be an onerous regulation. Though City Council had recommended this, perhaps the practicalities of developing such an ordinance was too burdensome on everyone.
- Discussion: Again, signs on vacant buildings needed to be removed within 180 days of vacancy, though the sign structure could remain.
- Changes in definitions were reviewed.
- Regarding regulations outside of Sign Definitions and Section 5.5, new reference was made to the Michigan Manual of Uniform Traffic Control Devices (34.3.1.30 P-1 Parking District 3.iv. Home occupation signs were required to comply with Section 35-5.5. With Special land uses, references to messages were eliminated and signs must meet the standards of Section 34-5.5. For mobile home *for sale* signs, all temporary signage now had to comply with Section 34-5.5. Secondary uses in office districts had language regarding signs deleted. Seasonal outdoor sales signs were regulated in City Code 4.56 and language had been changed to conform to the new regulations. Section 34-3.1.29 Light Industrial District, B.3. had language removed that related to the message of the sign.

Commissioner Fleischhacker mentioned the sign at Westbrook Shopping Center as an example of a sign in disrepair. Could something be done about this grandfathered sign?

Commissioner Fleischhacker indicated he was ready to make a motion.

**MOTION by Fleischhacker, support by Orr, that Zoning Text Amendment 1, 2016, proposed by the City of Farmington Hills Planning Commission, be set for Public Hearing on September 15, 2016, with the inclusion of items discussed during tonight's study session.**

**Motion carried unanimously.**

**PUBLIC COMMENT:**

None.

**COMMISSIONERS' COMMENTS:**

Commissioner Stimson asked if there was some way to eliminate phone books being dropped at vacant homes. City Attorney Schultz explained that the phone books included protected content.

Commissioner Brickner expressed appreciation for being appointed to the Commission.

Commissioner McRae noted that a commercial *for sale* sign was up on residential land on Orchard Lake Road north of 11 Mile. He was concerned that someone thought they could develop that land with a commercial project.

Commissioner McRae asked what was happening with the Social Security Building on Farmington Road just south of 12 Mile. Commissioner Stimson said that there had been two water main breaks under that building. It was supposed to be ready for occupancy again around Labor Day.

Commissioner McRae asked for updates on road construction projects.

Commissioner Blizman noted that there was a sign up at the old Sarah Fisher property: Evangelical Homes for the Aged. Would this development be taxed? City Planner Stec said he would find out.

Commissioner Blizman asked what had happened to the historical home on Haggerty Road. City Planner Stec said there was a possible sale for this property, which would include leaving the home in place and developing around it.

### **ADJOURNMENT**

Seeing that there was no further discussion, Chair Rae-O'Donnell adjourned the meeting at 9:15 p.m.

Respectfully submitted,

Steven J. Stimson  
Planning Commission Secretary

/cem